

### **REMARKS/ARGUMENTS**

In response to Applicants' appeal brief received by the U.S. PTO on May 12, 2005 prosecution was reopened. Claims 1 to 8 and 21 to 24 were rejected under 35 U.S.C. §102(b) as being anticipated by Sarring (US 3,722,336). Claims 9 to 11 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sarring in view of asserted applicants' admitted prior art.

Withdrawal of the rejections to the pending claims is respectfully requested.

#### **35 U.S.C. §102 (b) Rejections**

Claims 1 to 8 and 21 to 24 were rejected under 35 U.S.C. §102(b) as being anticipated by Sarring (US 3,722,336).

Sarring shows belts 1294.

Claim 1 recites a transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a moving side table of the sheet material article trimmer; and

a driver configured to move the transfer element at a same speed as the moving side table during a first time period, the speed of the side table and the transfer element varying during the first time period, when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction.

The Office Action has identified the moving side table as element 1490 in Sarring. This must be a mistake, as element 1490 is a side knife bar carrying a side knife and not a table at all (See Col. 40, line 65 et seq. and Fig. 34 for example). No sheet material article is moved onto the side knife bar 1490.

In fact, upon review there appears to be no moving side table at all in Sarring. The book is held by transport belts, which halt and retain the book between them. See col. 39, lines 58 to 63. See also Fig. 38 which shows the transport belts stationary (at a same position on the Y axis)

during the side cut.

Sarring thus does not show or disclose “a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction *onto a moving side table of the sheet material article trimmer; and*

*a driver configured to move the transfer element at a same speed as the moving side table during a first time period, the speed of the side table and the transfer element varying during the first time period, when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction.*

Moreover, no assertion has been made that the speed of any table the transfer element move at a same speed during a first time period and vary during the first time period. See also Sarring which states that table 1410 is slower than the speeder belts (Col. 39. line 22)

Withdrawal of the rejections under 35 U.S.C. §102(b) to claims 1 to 8 and 21 to 24 is respectfully requested herewith.

### 35 U.S.C. §103(a) Rejections

Claims 9 to 11 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sarring in view of applicants’ admitted prior art (Bryson et al., US 3,733,947).

With respect to claims 9 to 11, withdrawal in view of the above is respectfully requested.

With respect to claim 25, claim 25 recites a transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a side table of the sheet material article trimmer; and

a driver configured to move the transfer element at a same speed as the side table during a first time period when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction;

the driver including an epicycle gear unit, the epicycle gear unit including a constant speed input member driven by a main trimmer drive of the sheet material article trimmer and a variable speed input member configured for varying an output of the epicycle gear unit so as to vary a speed of the transfer element.

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Reply to Office Action of July 7, 2005

It is respectfully submitted that Sarring does not have a moving side table as asserted in the Office Action and discussed above, and withdrawal of the rejection to claim 25 for this reason is respectfully submitted.

Withdrawal of the rejections under 35 U.S.C. §103(a) to claims 9 to 11 and 25 is respectfully requested herewith.

**CONCLUSION**

It is respectfully submitted that the present application is now in condition for allowance, and Applicants respectfully requests such action.

Respectfully submitted,

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